

THURSDAY, FEBRUARY 10, 2011

FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Senator Haynes.

PLEDGE OF ALLEGIANCE

Senator Haynes led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Barnes, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

COMMUNICATIONS

February 10, 2011

The Honorable Ron Ramsey
Lieutenant Governor
1 Legislative Plaza
Nashville, Tennessee 37243

Dear Lt. Governor Ramsey:

Please excuse me from attending Session today. I called my office to let them know that I was unable to drive out of my subdivision due to the road conditions this morning. I requested that my staff prepare a letter informing you of my inability to be in attendance today.

If you have any questions, please contact Patti Saliba in my office.

Sincerely,

/s/ Mae Beavers

APPROVED: Lieutenant Governor
Ron Ramsey

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February 10, 2011

Dear Lieutenant Governor Ramsey,

Please excuse my absence on 2/10/11. The road conditions in Dickson were very dangerous.

Thank you,

/s/ Jim Summerville

APPROVED: Lieutenant Governor
Ron Ramsey

STANDING COMMITTEE REPORTS

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolution No. 13.

CROWE, Chairperson
February 9, 2011

The Speaker announced that he had referred Senate Joint Resolution No. 13 to the Committee on Calendar.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 21, 29 and 35.

TRACY, Chairperson
February 9, 2011

The Speaker announced that he had referred Senate Bills Nos. 21, 29 and 35 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 471 through 576** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 471 by Senator Tracy.

Workers' Compensation -- As introduced, provides that failure of a drug and alcohol test, or refusing the test, in a drug-free workplace makes the injured employee ineligible for workers' compensation

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benefits related to an injury; removes requirement for proximate causation. Amends TCA Title 50, Chapter 6 and Title 50, Chapter 9.

Senate Bill No. 472 by Senator Woodson.

Election Laws -- As introduced, changes the timing and manner in which members of the county election commission are required to inspect new voter registration forms. Amends TCA Section 2-2-120.

Senate Bill No. 473 by Senator Woodson.

Election Laws -- As introduced, exempts the purging of a person's voter registration after a change of name due to a divorce. Amends TCA Section 2-2-106.

Senate Bill No. 474 by Senator Woodson.

Election Laws -- As introduced, removes election officials legislative district residency requirement to serve but requires such officials to reside in the county in which they are appointed to serve. Amends TCA Section 2-4-103.

Senate Bill No. 475 by Senator Woodson.

Orders of Protection -- As introduced, deletes requirement that local law enforcement enter order of protection or dismissal of order into the Tennessee crime information system. Amends TCA Section 36-3-609.

Senate Bill No. 476 by Senator Woodson.

Criminal Offenses -- As introduced, adds attempting or intending to cause bodily injury by strangulation to the definition of aggravated assault. Amends TCA Section 39-13-102.

Senate Bill No. 477 by Senator Beavers.

Election Laws -- As introduced, requires terms of county administrators of elections to expire when the commission's term expires and allows county election commissions to consider political party affiliation, knowledge and experience when hiring administrators; prohibits county from revising or restricting line items in the election commission's budget. Amends TCA Title 2, Chapter 12.

Senate Bill No. 478 by Senator Beavers.

County Government -- As introduced, restricts the ability of a county legislative body to eliminate line items included in a budget submitted by the administrator of elections. Amends TCA Title 2, Chapter 12, Part 1 and Title 5.

Senate Bill No. 479 by Senator Beavers.

DUI Offenses -- As introduced, lowers the DUI enhancement that would require an ignition interlock from .15 percent to .08 percent and removes the DUI enhancements that would require an ignition interlock relative to implied consent. Amends TCA Title 38; Title 39; Title 40 and Title 55.

Senate Bill No. 480 by Senator Beavers.

DUI Offenses -- As introduced, clarifies various provisions of the ignition interlock requirements for certain DUI offenders. Amends TCA Title 7; Title 29; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 55; Title 68 and Title 71.

Senate Bill No. 481 by Senator Southerland.

Insurance, Health, Accident -- As introduced, prohibits a health insurance carrier, and any subcontractor of the carrier, from making changes to policies, procedures, payment methodologies,

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or claims processing edits that have the effect of lowering negotiated rates unless agreed to by the hospital. Amends TCA Title 56, Chapter 7, Part 10.

Senate Bill No. 482 by Senator Overbey.

Uniform Commercial Code -- As introduced, increases from 30 to 60 days the period in which a purchase-money security interest in goods, other than inventory or livestock, must be perfected in order to maintain its priority over conflicting security interests in the same goods. Amends TCA Title 47.

Senate Bill No. 483 by Senator Overbey.

Hospitals and Health Care Facilities -- As introduced, adds designation of patient safety organizations to the incident reporting system for health care facilities statute. Amends TCA Title 33; Title 67; Title 68 and Title 71.

Senate Bill No. 484 by Senator Overbey.

Hospitals and Health Care Facilities -- As introduced, provides certain protections from discovery to certain health care organizations and providers for activities of quality improvement committees. Amends TCA Title 68, Chapter 11 and Title 63, Chapters 1 and 6.

Senate Bill No. 485 by Senators Kelsey and Summerville.

Education -- As introduced, enacts the "Equal Opportunity Scholarship Act". Amends TCA Title 49, Chapter 6.

Senate Bill No. 486 by Senator Kelsey.

Education -- As introduced, provides scholarship aid to students with special needs to permit parents of such students to choose schools, either public or private, that their children will attend. Amends TCA Title 49 and Title 67.

Senate Bill No. 487 by Senator Ketron.

Criminal Offenses -- As introduced, broadens offense of harassment to include electronic communication with or about another person or transmission or display of images that causes or may reasonably cause emotional distress; allows law enforcement to access log files, images or communications posted on social network services' Web sites. Amends TCA Title 39, Chapter 17, Part 3.

Senate Bill No. 488 by Senator Ketron.

Education -- As introduced, defines cyber-bullying and requires schools to implement policies against cyber-bullying. Amends TCA Title 49, Chapter 6, Part 10.

Senate Bill No. 489 by Senator Ketron.

Public Contracts -- As introduced, increases the amount the superintendent of an urban type public facility may purchase without approval of the governing authority from \$500 to \$10,000 and increases the amount of construction contracts from \$2,000 to \$10,000 for which the superintendent must advertise for bids. Amends TCA Section 5-16-105.

Senate Bill No. 490 by Senator Ketron.

Alcoholic Beverages -- As introduced, allows Woodlake Golf Club to sell alcoholic beverages for consumption on premises. Amends TCA Section 57-4-102.

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Senate Bill No. 491 by Senator Ketron.

Schools, Charter -- As introduced, revises various provisions of the Tennessee Public Charter Schools Act, including eliminating caps on the number of charter schools and changing requirements for charter schools' prospective student population. Amends TCA Title 49, Chapter 13.

Senate Bill No. 492 by Senator Haynes.

Campaigns and Campaign Finance -- As introduced, enacts the "Voter-Owned Elections Act". Amends TCA Title 2, Chapter 10.

Senate Bill No. 493 by Senator Haynes.

Courts -- As introduced, specifies that it is the court's discretion whether to approve a transfer of structured settlement payment rights. Amends TCA Title 47, Chapter 18, Part 26.

Senate Bill No. 494 by Senator Haynes.

Pharmacy, Pharmacists -- As introduced, expands statute providing for a prescription drug label that indicates the condition for which the drug is prescribed from applying only to elder persons to apply to any patient. Amends TCA Title 53, Chapter 10 and Title 63, Chapter 10.

Senate Bill No. 495 by Senator Haynes.

Highway Signs -- As introduced, designates segment of U.S. Highway 70 in metropolitan Nashville as "THP Col. Elmer V. Craig Memorial Highway".

Senate Bill No. 496 by Senator Haynes.

Highway Signs -- As introduced, designates segment of U.S. Highway 70 in metropolitan Nashville as "THP Col. Elmer V. Craig Memorial Highway".

Senate Bill No. 497 by Senator Haynes.

Fairs -- As introduced, removes requirement that Tennessee state fair be held annually in Nashville. Amends TCA Title 5, Chapter 9, Part 1.

Senate Bill No. 498 by Senator Haynes.

Obscenity and Pornography -- As introduced, prohibits the possession, promotion, sale, distribution, transportation, purchase or exchange of material that includes an adapted or modified depiction of an identifiable minor engaged in sexual activity or simulated sexual activity that is patently offensive. Amends TCA Title 39, Chapter 17.

Senate Bill No. 499 by Senator Bell.

Intellectual & Developmental Disabilities -- As introduced, exempts certain provider agencies from annual quality assurance evaluations if the agency possesses certain accreditation. Amends TCA Title 33 and Title 68.

Senate Bill No. 500 by Senator Burks.

Utilities, Utility Districts -- As introduced, authorizes a water utility district in the eastern portion of White County with over 1,000 customers to change the manner in which vacancies are filled and commissioners are selected. Amends TCA Title 7, Chapter 82.

Senate Bill No. 501 by Senator Southerland.

Tennessee Wildlife Resources Agency -- As introduced, requires executive director of agency to submit report to commission and governor by September 30 of each year; extends effective date of regulations for cooperative agreements with federal agencies from 30 to 45 days after publication. Amends TCA Title 70.

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Senate Bill No. 502 by Senator Southerland.

Boats, Boating -- As introduced, increases from 30 to 45 days the time in which persons cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. Amends TCA Title 69.

Senate Bill No. 503 by Senator Finney.

Bankruptcy -- As introduced, clarifies that the notice of exemption given by a judgment debtor shall state "Tennessee law provides a \$10,000 exemption" instead of "Tennessee law provides a \$4,000 exemption". Amends TCA Title 26.

Senate Bill No. 504 by Senator Tracy.

Controlled Substances -- As introduced, adds six stimulants that are compounds of methcathinone and used to make plant food and bath salts to list of Schedule I controlled substances. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 505 by Senator Watson.

Medical Occupations -- As introduced, requires health care practitioners licensed in the healing arts to affirmatively communicate proof of licensure to patients; expands list of practitioners required to post proof of licensure at their place of practice. Amends TCA Title 63, Chapter 1.

Senate Bill No. 506 by Senator Marrero.

Solid Waste Disposal -- As introduced, requires any permit issued by the Department of Environment and Conservation to specify the types of waste a facility is prohibited from receiving for disposal or processing; prohibits any person from knowingly accepting for disposal or processing certain nuclear or radioactive materials in any landfill. Amends TCA Title 68.

Senate Bill No. 507 by Senator Marrero.

Taxes -- As introduced, clarifies that, to meet the definition of "industrial machinery" for purposes of the sales and use tax exemption, any product resulting from the fabrication or processing must be for consumption off the premises of the one engaged in the fabrication or processing. Amends TCA Title 67.

Senate Bill No. 508 by Senator Marrero.

Bail, Bail Bonds -- As introduced, creates a Special Joint Study Committee to study this state's laws and amendments of such laws that affect persons released from incarceration. Amends TCA Title 39; Title 40; Title 41 and Title 50.

Senate Bill No. 509 by Senator Faulk.

Orders of Protection -- As introduced, allows the court to assess all court costs, filing fees, litigation taxes and attorneys' fees against a petitioner seeking an order of protection if the court conducts a hearing separate from the hearing on the petition and determines that the petitioner is not a domestic abuse, stalking or sexual assault victim, the refusal to issue or extend an order was based on such fact, and the petition was filed frivolously. Amends TCA Title 36, Chapter 3, Part 6.

Senate Bill No. 510 by Senator Faulk.

Commerce and Insurance, Dept. of -- As introduced, requires entities reporting to the Commissioner of Commerce and Insurance regarding medical malpractice claims to include information as to whether the health care provider received payment from TennCare; requires the commissioner to include such information in the annual report on medical malpractice claims. Amends TCA Title 56, Chapter 54.

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Senate Bill No. 511 by Senator Faulk.

Uniform Laws -- As introduced, enacts the "Uniform Electronic Recordation of Custodial Interrogations Act". Amends TCA Title 37; Title 38; Title 39 and Title 40.

Senate Bill No. 512 by Senator Faulk.

Alcoholic Beverage Commission -- As introduced, requires commission to suspend or revoke a license or permit instead of imposing a fine after the third violation of certain offenses within a two-year period. Amends TCA Title 57, Chapter 1.

Senate Bill No. 513 by Senator Faulk.

Uniform Laws -- As introduced, corrects typographical error in Public Chapter 901 by inserting the word "or" in section specifying that remedies under the chapter are cumulative. Amends TCA Section 36-5-2103 and Chapter 901 of the Public Acts of 2010.

Senate Bill No. 514 by Senator Bell.

Recycling -- As introduced, changes the size requirements of the posted notice for a metals recycling facility. Amends TCA Title 39.

Senate Bill No. 515 by Senator Bell.

Museums -- As introduced, requires annual report of the Tennessee Agricultural Museum to be submitted to the Commerce, Labor and Agriculture Committee of the Senate and the Agriculture Committee of the House of Representatives. Amends TCA Title 43.

Senate Bill No. 516 by Senator Bell.

Health, Dept. of -- As introduced, authorizes the director of the division of health-related boards to maintain a central file of paper and electronic documents and to receive notice of meetings of agencies within the division. Amends TCA Title 63.

Senate Bill No. 517 by Senator Bell.

Consumer Protection -- As introduced, revises procedures relative to promulgation of rules by the division of consumer affairs. Amends TCA Title 47.

Senate Bill No. 518 by Senator Bell.

Game and Fish Laws -- As introduced, increases from one to two the number of free sport fishing days. Amends TCA Title 70.

Senate Bill No. 519 by Senator Bell.

Employees, Employers -- As introduced, provides that an employer permitting a person with a handgun carry permit to carry a handgun on the employer's property does not constitute an occupational safety and health hazard to the employees. Amends TCA Title 50, Chapter 3.

Senate Bill No. 520 by Senator Bell.

Civil Procedure -- As introduced, provides that a cause of action for the death of a spouse does not pass to surviving spouse if surviving spouse abandoned deceased spouse for a period of at least two years prior to deceased spouse's death. Amends TCA Title 20, Chapter 5.

Senate Bill No. 521 by Senator Marrero.

Taxes, Privilege -- As introduced, imposes a one-cent per ounce privilege tax on bottled soft drinks containing sugar; reduces from 5.5% to 4.5% the retail sales tax rate on food, which includes soft drinks. Amends TCA Title 67, Chapter 6, Part 2 and Title 67, Chapter 4.

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Senate Bill No. 522 by Senator Crowe.

Hospitals and Health Care Facilities -- As introduced, redefines "trauma system" to include all Level IV trauma centers. Amends TCA Title 68, Chapter 59.

Senate Bill No. 523 by Senator Tracy.

Transportation, Dept. of -- As introduced, creates interagency transportation coordination committee, composed of representatives of state departments, to coordinate transportation efforts of state and local government. Amends TCA Title 4 and Title 54.

Senate Bill No. 524 by Senator Tracy.

Safety, Dept. of -- As introduced, increases frequency for physical examinations by Tennessee physicians that for-hire motor carriers providing passenger transportation are required to submit to, from current biennial to annual exams. Amends TCA Title 7; Title 51 and Title 65.

Senate Bill No. 525 by Senator Tracy.

Financial Responsibility Law -- As introduced, limits right to recover noneconomic damages by a motorist who does not comply with the financial responsibility law. Amends TCA Title 55, Chapter 12 and Title 56, Chapter 7.

Senate Bill No. 526 by Senator McNally.

Drugs, Over the Counter -- As introduced, clarifies that it is not a defense to the unlawful possession of drug paraphernalia that the object alleged to be drug paraphernalia has not yet been used or did not contain a controlled substance. Amends TCA Title 38; Title 39; Title 40; Title 53; Title 63 and Title 68.

Senate Bill No. 527 by Senator McNally.

Controlled Substances -- As introduced, adds certain persons to the controlled substance database advisory committee; requires the committee to release certain database information to the Tennessee Bureau of Investigation and to a manager or prosecution unit conducting any investigation, adjudication or prosecution that involves a controlled substance. Amends TCA Title 10, Chapter 7; Title 38; Title 39; Title 40; Title 53, Chapter 10; Title 63 and Title 68.

Senate Bill No. 528 by Senator McNally.

Taxes, Sales -- As introduced, reduces from 90 to 60 days period in which dealer via signed statement can deduct on a return sales tax collected but not yet remitted to commissioner for refunded items. Amends TCA Title 67.

Senate Bill No. 529 by Senator McNally.

Taxes, Sales -- As introduced, deletes obsolete language for spring sales tax holiday. Amends TCA Title 67.

Senate Bill No. 530 by Senator McNally.

Bond Issues -- As introduced, authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

Senate Bill No. 531 by Senator McNally.

Lottery, Scholarships and Programs -- As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on scholarship and grant programs data. Amends TCA Title 4, Chapter 31; Title 4, Chapter 51; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

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Senate Bill No. 532 by Senator McNally.

Appropriations -- As introduced, assigns the state employee staff responsible for the administration of the group insurance for state officials and employees to the Department of Finance and Administration; requires that grant payments under the grant assistance program for nursing home care be made monthly or quarterly instead of monthly. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 11; Title 12; Title 13; Title 16; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71.

Senate Bill No. 533 by Senator McNally.

Taxes, Sales -- As introduced, lowers tax rate on retail sale of food from 5.5 percent to 5 percent. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senate Bill No. 534 by Senator McNally.

Taxes, Real Property -- As introduced, increases annual income amount of certain elderly taxpayers who are eligible for property tax relief from \$24,000 to \$26,500 for tax years 2011 and thereafter. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senate Bill No. 535 by Senator McNally.

Taxes, Exemption and Credits -- As introduced, delays collection efforts for any taxpayer with not-for-profit status pending final outcome of litigation challenging tax assessment on ground that taxpayer was tax-exempt. Amends TCA Title 48 and Title 67.

Senate Bill No. 536 by Senator McNally.

Revenue, Dept. of -- As introduced, requires commissioner to report to comptroller any penalty waivers and taxpayers whom special investigations found violated criminal tax laws but were not reported to district attorney; requires comptroller to report annually to Finance, Ways and Means Committees waived penalties and amount of lost revenue from failing to prosecute; corrects incorrect code reference. Amends TCA Title 67, Chapter 1, Part 14 and Title 67, Chapter 1, Part 8.

Senate Bill No. 537 by Senator McNally.

Hospitals and Health Care Facilities -- As introduced, requires hospitals to report annually on community benefits they provided. Amends TCA Section 68-11-310.

Senate Bill No. 538 by Senator McNally.

Public Health -- As introduced, requires hospitals to provide parents of newborns with certain information concerning Pertussis disease and immunizations. Amends TCA Title 68, Chapter 5, Part 1.

Senate Bill No. 539 by Senator McNally.

Taxes -- As introduced, clarifies that any person engaged in selling any quantity of unauthorized substances is liable for the tax; clarifies that the presumption that a person is a merchant does not apply when the person is actually engaged in selling any quantity of substances. Amends TCA Title 67, Chapter 4, Part 28.

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Senate Bill No. 540 by Senator McNally.

DUI Offenses -- As introduced, enacts the "Tennessee Administrative License Revocation Act". Amends TCA Title 40; Title 50 and Title 55.

Senate Bill No. 541 by Senator McNally.

Veterans -- As introduced, establishes the Tennessee Medal of Honor, issued by general assembly, to certain members of Tennessee National Guard or U.S. armed forces killed in the line of duty; creates advisory committee to report findings to general assembly. Amends TCA Title 3, Chapter 1 and Title 58, Chapter 3, Part 1.

Senate Bill No. 542 by Senator McNally.

Taxes, Exemption and Credits -- As introduced, exempts not-for-profits owning and operating water companies from three percent gross receipts tax. Amends TCA Title 67, Chapter 4, Part 4.

Senate Bill No. 543 by Senator McNally.

Lottery, Scholarships and Programs -- As introduced, requires certain prospective recipients of the Tennessee HOPE access grant to enroll in an eligible postsecondary institution no later than 28 months following graduation from high school. Amends TCA Title 4, Chapter 31; Title 4, Chapter 51; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

Senate Bill No. 544 by Senator McNally.

Disabled Persons -- As introduced, requires by July 1, 2013, that all businesses that provide disabled parking spaces also provide van-accessible parking spaces. Amends TCA Section 55-21-105.

Senate Bill No. 545 by Senator McNally.

Alcohol Offenses, Motor Vehicles -- As introduced, prohibits both the driver and passenger of a motor vehicle from consuming an alcoholic beverage or possessing an open alcoholic beverage container within the passenger area. Amends TCA Title 55, Chapter 10, Part 4.

Senate Bill No. 546 by Senator McNally.

State Employees -- As introduced, requires longevity pay for eligible state employees who previously worked for health departments of home rule municipalities; establishes eligibility criteria. Amends TCA Title 8, Chapter 23.

Senate Bill No. 547 by Senator McNally.

Eminent Domain -- As introduced, requires county and municipal legislative bodies to conduct a public hearing on necessity of condemning property and approve the exercise of eminent domain by a majority vote prior to any property being condemned and taken by such bodies. Amends TCA Title 29, Chapter 17.

Senate Bill No. 548 by Senator McNally.

Eminent Domain -- As introduced, grants property owner, or a deceased owner's heirs or assigns, whose land is taken by eminent domain the right to repurchase such property if the condemning entity does not use the property for the purpose for which it was condemned or if the entity sells the property within 10 years of condemnation. Amends TCA Title 29, Chapter 17, Part 10.

Senate Bill No. 549 by Senator McNally.

Highway Signs -- As introduced, designates "Gold Star Blue Star Memorial Bridge" on U.S. 321 in Loudon County.

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Senate Bill No. 550 by Senator McNally.

Traffic Safety -- As introduced, requires that 95 percent of revenue from traffic violations resulting from traffic surveillance cameras be earmarked solely for educational needs of local governing entity. Amends TCA Section 55-8-198.

Senate Bill No. 551 by Senator McNally.

Licenses -- As introduced, requires licenses issued by the Department of Commerce and Insurance and licenses required to work as athlete agents, lobbyists, and K-12 public school teachers to be denied, suspended, or revoked, if student loans are not paid. Amends TCA Title 3; Title 49 and Title 56.

Senate Bill No. 552 by Senator McNally.

Anderson County -- As introduced, subject to local approval, reallocates proceeds from the hotel/motel tax from the general fund for county general revenue, with 90 percent being allocated to the tourism fund and 10 percent, minus the trustee's commission, being allocated to the Anderson County chamber of commerce for economic development purposes. Amends Chapter 193 of the Private Acts of 1990; as amended.

Senate Bill No. 553 by Senator McNally.

Public Records -- As introduced, allows Anderson County register of deeds to redact social security numbers on recorded documents maintained on computers; also allows register of deeds to redact social security numbers on recorded documents at request of certain persons if practicable. Amends TCA Section 10-7-515.

Senate Bill No. 554 by Senator McNally.

Bond Issues -- As introduced, authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes.

Senate Bill No. 555 by Senator McNally.

State Employees -- As introduced, mandates that civil leave and compensation be provided to state employees when they are subpoenaed to testify at trial. Amends TCA Title 24, Chapter 4.

Senate Bill No. 556 by Senator McNally.

Sentencing -- As introduced, removes exception allowing a defendant not otherwise eligible to be sentenced to community correction rather than incarceration if the defendant has special needs that are best treatable in the community. Amends TCA Title 40, Chapter 36.

Senate Bill No. 557 by Senator McNally.

Victims' Rights -- As introduced, requires governor to notify attorney general and appropriate district attorney at least 10 days before any act of executive clemency is made public and requires district attorney to notify the victim of the offense for which the person was convicted. Amends TCA Title 40, Chapter 27.

Senate Bill No. 558 by Senator McNally.

Law Enforcement -- As introduced, provides that a retired law enforcement officer who has been certified to carry a firearm has to be recertified every four years instead of annually but such officer is only permitted to carry the firearm within the state of Tennessee. Amends TCA Title 38, Chapter 8, Part 1.

Senate Bill No. 559 by Senator McNally.

Criminal Procedure -- As introduced, enacts the "Exclusionary Rule Reform Act". Amends TCA Title 40, Chapter 6, Part 1.

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Senate Bill No. 560 by Senator McNally.

Workers' Compensation -- As introduced, adds language to not construe any limitations on obtaining compensation under the workers' compensation statute to limit third party actions against tortfeasors. Amends TCA Title 50.

Senate Bill No. 561 by Senator McNally.

Controlled Substances -- As introduced, makes materials containing any quantity of ephedrine or pseudoephedrine a Schedule III controlled substance and exempts immediate methamphetamine precursors if they are not in form that can be used in manufacture of methamphetamine. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 562 by Senator Berke.

Criminal Procedure -- As introduced, provides that court or jury may take into consideration the defendant's personal income and ability to pay when determining the amount of criminal fine to assess, if any. Amends TCA Title 40, Chapter 35, Part 3.

Senate Bill No. 563 by Senator Berke.

Sentencing -- As introduced, increases from 10 to 15 the number of days prior to a sentencing hearing that a presentence report shall be filed. Amends TCA Title 39 and Title 40.

Senate Bill No. 564 by Senator Berke.

TennCare -- As introduced, requires TennCare MCOs to contract with nursing homes and associated physicians and hospitals in their service area under the Long Term Care Community Choices Act of 2008. Amends TCA Title 71.

Senate Bill No. 565 by Senator Berke.

Taxes, Sales -- As introduced, exempts food and food ingredients for human consumption except prepared food, alcoholic beverages, candy, dietary supplements, and tobacco, from the state sales and use tax beginning January 1, 2012. Amends TCA Title 67, Chapter 6.

Senate Bill No. 566 by Senator Berke.

Taxes, Sales -- As introduced, reduces the sales and use tax on food and food ingredients for human consumption except prepared food, alcoholic beverages, candy, dietary supplements, and tobacco, from 5.5% to 2.75% beginning January 1, 2012. Amends TCA Title 67, Chapter 6.

Senate Bill No. 567 by Senator Berke.

Domestic Violence -- As introduced, authorizes the use of global positioning monitoring system as a condition of bail in domestic violence cases; requires defendant to pay for the use of such systems if able. Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13, Part 1; Section 39-17-315 and Title 40, Chapter 11, Part 1.

Senate Bill No. 568 by Senator Berke.

Education -- As introduced, requires a written memorandum of understanding between a law enforcement agency and a LEA for school policing to include employment standards, hours of training, hours of work and assignment to specific schools; requires under such agreements that alternative schools be staffed by school resource officers who are full time. Amends TCA Title 38, Chapter 8, Part 1; Title 49, Chapter 6, Part 34 and Title 49, Chapter 6, Part 42.

Senate Bill No. 569 by Senator Berke.

Teachers, Principals and School Personnel -- As introduced, mandates loss of sick leave benefits by teachers who falsify medical information submitted to the sick leave bank trustees. Amends TCA Title 49.

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Senate Bill No. 570 by Senator Berke.

Taxes, Gasoline, Petroleum Products -- As introduced, extends period of time from 30 days to 30 business days for county legislative body to act on resolution or ordinance to levy one cent local gasoline tax following filing of petition with county legislative body to levy such tax. Amends TCA Title 67, Chapter 3.

Senate Bill No. 571 by Senator Berke.

Traffic Safety -- As introduced, prohibits information relative to violations captured by unmanned traffic surveillance cameras from being transmitted to credit reporting agencies. Amends TCA Section 55-8-198.

Senate Bill No. 572 by Senator Berke.

Unclaimed Property -- As introduced, requires the treasurer to hold any abandoned military medal until the owner or owner's heirs or beneficiaries can be identified for the return of the medal; allows the treasurer to appoint a custodian such as a veterans' organization to hold such medal. Amends TCA Title 66, Chapter 29, Part 1.

Senate Bill No. 573 by Senator Berke.

Campaigns and Campaign Finance -- As introduced, requires candidates and political campaign committees to report any contribution received or expenditure made to the registry of election finance within 14 days. Amends TCA Title 2, Chapter 10, Part 1.

Senate Bill No. 574 by Senator Berke.

Courts, Chancery -- As introduced, extends jurisdiction to chancery courts for certain claims against governmental entities. Amends TCA Section 29-20-305.

Senate Bill No. 575 by Senator Berke.

Courts, Chancery -- As introduced, extends jurisdiction over claims against governmental entities or governmental entity employees to chancery courts. Amends TCA Section 29-20-313.

Senate Bill No. 576 by Senator Berke.

Courts, Chancery -- As introduced, provides that circuit and chancery courts shall have exclusive jurisdiction over claims filed against governmental entities, and provides that general sessions courts have concurrent jurisdiction with those courts. Amends TCA Section 29-20-307.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 352 through 357, 359 through 361 and 363 through 470** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 352 referred to the Committee on State and Local Government.

Senate Bill No. 353 referred to the Committee on Transportation.

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Senate Bill No. 354 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 355 referred to the Committee on State and Local Government.

Senate Bill No. 356 referred to the Committee on Judiciary.

Senate Bill No. 357 referred to the Committee on State and Local Government.

Senate Bill No. 359 referred to the Committee on State and Local Government.

Senate Bill No. 360 referred to the Committee on Judiciary.

Senate Bill No. 361 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 363 referred to the Committee on Transportation.

Senate Bill No. 364 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 365 referred to the Committee on Transportation.

Senate Bill No. 366 referred to the Committee on State and Local Government.

Senate Bill No. 367 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 368 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 369 referred to the Committee on Transportation.

Senate Bill No. 370 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 371 referred to the Committee on Judiciary.

Senate Bill No. 372 referred to the Committee on Judiciary.

Senate Bill No. 373 referred to the Committee on Judiciary.

Senate Bill No. 374 Local bill -- held on desk

Senate Bill No. 375 referred to the Committee on State and Local Government.

Senate Bill No. 376 referred to the Committee on Transportation.

Senate Bill No. 377 referred to the Committee on State and Local Government.

Senate Bill No. 378 referred to the Committee on Judiciary.

Senate Bill No. 379 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 380 referred to the Committee on Education.

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Senate Bill No. 381 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 382 referred to the Committee on Transportation.

Senate Bill No. 383 referred to the Committee on Transportation.

Senate Bill No. 384 referred to the Committee on State and Local Government.

Senate Bill No. 385 referred to the Committee on Transportation.

Senate Bill No. 386 referred to the Committee on Judiciary.

Senate Bill No. 387 referred to the Committee on Judiciary.

Senate Bill No. 388 referred to the Committee on State and Local Government.

Senate Bill No. 389 referred to the Committee on Judiciary.

Senate Bill No. 390 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 391 referred to the Committee on Judiciary.

Senate Bill No. 392 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 393 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 394 referred to the Committee on State and Local Government.

Senate Bill No. 395 referred to the Committee on Transportation.

Senate Bill No. 396 referred to the Committee on Judiciary.

Senate Bill No. 397 referred to the Committee on Judiciary.

Senate Bill No. 398 referred to the Committee on Judiciary.

Senate Bill No. 399 referred to the Committee on Judiciary.

Senate Bill No. 400 referred to the Committee on Judiciary.

Senate Bill No. 401 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 402 referred to the Committee on Judiciary.

Senate Bill No. 403 referred to the Committee on Judiciary.

Senate Bill No. 404 referred to the Committee on Judiciary.

Senate Bill No. 405 referred to the Committee on Environment, Conservation and Tourism.

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Senate Bill No. 406 referred to the Committee on State and Local Government.

Senate Bill No. 407 referred to the Committee on Transportation.

Senate Bill No. 408 referred to the Committee on Transportation.

Senate Bill No. 409 referred to the Committee on Transportation.

Senate Bill No. 410 referred to the Committee on Transportation.

Senate Bill No. 411 referred to the Committee on State and Local Government.

Senate Bill No. 412 referred to the Committee on Judiciary.

Senate Bill No. 413 referred to the Committee on Education.

Senate Bill No. 414 referred to the Committee on Education.

Senate Bill No. 415 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 416 referred to the Committee on State and Local Government.

Senate Bill No. 417 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 418 referred to the Committee on Government Operations.

Senate Bill No. 419 referred to the Committee on Judiciary.

Senate Bill No. 420 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 421 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 422 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 423 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 424 referred to the Committee on Government Operations.

Senate Bill No. 425 referred to the Committee on Transportation.

Senate Bill No. 426 referred to the Committee on Education.

Senate Bill No. 427 referred to the Committee on Transportation.

Senate Bill No. 428 referred to the Committee on Finance, Ways and Means.

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Senate Bill No. 429 referred to the Committee on Transportation.

Senate Bill No. 430 referred to the Committee on State and Local Government.

Senate Bill No. 431 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 432 referred to the Committee on Transportation.

Senate Bill No. 433 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 434 referred to the Committee on Transportation.

Senate Bill No. 435 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 436 referred to the Committee on Transportation.

Senate Bill No. 437 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 438 referred to the Committee on State and Local Government.

Senate Bill No. 439 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 440 referred to the Committee on State and Local Government.

Senate Bill No. 441 referred to the Committee on Judiciary.

Senate Bill No. 442 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 443 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 444 referred to the Committee on State and Local Government.

Senate Bill No. 445 referred to the Committee on Transportation.

Senate Bill No. 446 Local bill -- held on desk.

Senate Bill No. 447 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 448 referred to the Committee on Transportation.

Senate Bill No. 449 referred to the Committee on Education.

Senate Bill No. 450 referred to the Committee on Judiciary.

Senate Bill No. 451 referred to the Committee on Judiciary.

Senate Bill No. 452 referred to the Committee on Judiciary.

Senate Bill No. 453 referred to the Committee on Transportation.

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Senate Bill No. 454 referred to the Committee on State and Local Government.

Senate Bill No. 455 referred to the Committee on State and Local Government.

Senate Bill No. 456 referred to the Committee on Education.

Senate Bill No. 457 referred to the Committee on State and Local Government.

Senate Bill No. 458 referred to the Committee on State and Local Government.

Senate Bill No. 459 referred to the Committee on State and Local Government.

Senate Bill No. 460 referred to the Committee on Education.

Senate Bill No. 461 referred to the Committee on State and Local Government.

Senate Bill No. 462 referred to the Committee on State and Local Government.

Senate Bill No. 463 referred to the Committee on Judiciary.

Senate Bill No. 464 referred to the Committee on Judiciary.

Senate Bill No. 465 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 466 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 467 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 468 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 469 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 470 referred to the Committee on Commerce, Labor and Agriculture.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 52 through 69** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 52 by Senators Finney and Berke.
Memorials, Recognition -- Bishop Felton M. Smith, Jr.

Senate Joint Resolution No. 53 by Senator Finney.
Naming and Designating -- "Mental Illness Awareness Week", October 2-8, 2011.

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Senate Joint Resolution No. 54 by Senators Faulk and Yager.

Constitutional Amendments -- Amends Article II of the Tennessee Constitution in order to limit the annual regular sessions of the general assembly to a period from February through May; abolishes the 90 day limit for which expenses may be compensated for regular session.

Senate Joint Resolution No. 55 by Senator Faulk.

Memorials, Congress -- Requests U.S. Congress to adopt and submit for ratification by the states an amendment to the U.S. Constitution to enact term limits for members of Congress.

Senate Joint Resolution No. 56 by Senator Yager.

Memorials, Death -- Doris Lovett.

Senate Joint Resolution No. 57 by Senator Yager.

Memorials, Recognition -- Frazier Elementary School, 2011 Blue Ribbon School nominee.

Senate Joint Resolution No. 58 by Senator Yager.

General Assembly, Statement of Intent or Position -- Urges Department of Health and Department of Mental Health and Developmental Disabilities to promote a model of integrated care and to develop a plan for increased usage by Tennessee's health care providers.

Senate Joint Resolution No. 59 by Senator Yager.

Memorials, Death -- Jennie Maxine Brown Harvey.

Senate Joint Resolution No. 60 by Senator Yager.

Memorials, Death -- Trudy Carpenter.

Senate Joint Resolution No. 61 by Senator Yager.

Memorials, Death -- Minna B. Andriulli.

Senate Joint Resolution No. 62 by Senator Yager.

Memorials, Death -- Tom J. Malone.

Senate Joint Resolution No. 63 by Senator Yager.

Memorials, Death -- Thomas Jackson Robinson.

Senate Joint Resolution No. 64 by Senator Yager.

Memorials, Recognition -- Tennessee "Polk Salad" Festival and Pageant.

Senate Joint Resolution No. 65 by Senator Crowe.

Memorials, Recognition -- Dave Walker, 2010 Howard Schmertz Lifetime Achievement Award.

Senate Joint Resolution No. 66 by Senator McNally.

Memorials, Personal Occasion -- Clara Jewel Curd Hall Hughes, 90th birthday.

Senate Joint Resolution No. 67 by Senator McNally.

Naming and Designating -- Designates March 13, 2011, as "K-9 Veterans Day" in Tennessee.

Senate Joint Resolution No. 68 by Senator Finney.

Memorials, Death -- Bill Emery.

Senate Joint Resolution No. 69 by Senator Finney.

Memorials, Death -- Walter Baker Harris.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 21, 22, 24 through 30, 34 through 36, 38 and 47; Senate Joint Resolutions Nos. 44 through 46 and 48 through 50; and Senate Resolution No. 1** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 21 -- Memorials, Retirement -- First Sergeant Terry D. Melton, Tennessee Army National Guard.

The Speaker announced that he had referred House Joint Resolution No. 21 to the Committee on Calendar.

House Joint Resolution No. 22 -- Memorials, Recognition -- The Dirty Dozen Men's Organization.

The Speaker announced that he had referred House Joint Resolution No. 22 to the Committee on Calendar.

House Joint Resolution No. 24 -- Memorials, Recognition -- Commemorates 25th observance of Martin Luther King, Jr., Day.

The Speaker announced that he had referred House Joint Resolution No. 24 to the Committee on Calendar.

House Joint Resolution No. 25 -- Memorials, Retirement -- Joe Reagan.

The Speaker announced that he had referred House Joint Resolution No. 25 to the Committee on Calendar.

House Joint Resolution No. 26 -- Memorials, Retirement -- Joe Sweeney.

The Speaker announced that he had referred House Joint Resolution No. 26 to the Committee on Calendar.

House Joint Resolution No. 27 -- Memorials, Retirement -- Robert Brooks.

The Speaker announced that he had referred House Joint Resolution No. 27 to the Committee on Calendar.

House Joint Resolution No. 28 -- Memorials, Sports -- Surgoinville Middle School, Area 1 TMSAA Class A Championship.

The Speaker announced that he had referred House Joint Resolution No. 28 to the Committee on Calendar.

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House Joint Resolution No. 29 -- Memorials, Personal Occasion -- Carl Ketron Bailey, Sr., and Nora Bell Bailey, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 29 to the Committee on Calendar.

House Joint Resolution No. 30 -- Memorials, Recognition -- East Ridge High School marching band's 50th anniversary of the band's first graduating class.

The Speaker announced that he had referred House Joint Resolution No. 30 to the Committee on Calendar.

House Joint Resolution No. 34 -- Memorials, Death -- Ricky Wayne Woodard, Mayor of Westmoreland.

The Speaker announced that he had referred House Joint Resolution No. 34 to the Committee on Calendar.

House Joint Resolution No. 35 -- Memorials, Recognition -- Dr. Chris Jones.

The Speaker announced that he had referred House Joint Resolution No. 35 to the Committee on Calendar.

House Joint Resolution No. 36 -- Memorials, Recognition -- Armsdale Farm.

The Speaker announced that he had referred House Joint Resolution No. 36 to the Committee on Calendar.

House Joint Resolution No. 38 -- Memorials, Recognition -- African American Heritage Society's tenth annual "Black Tie Affair" and the tenth anniversary of the opening of the McLemore House Museum.

The Speaker announced that he had referred House Joint Resolution No. 38 to the Committee on Calendar.

House Joint Resolution No. 47 -- Budget Procedures -- Authorizes transmittal of the state budget document for fiscal year 2011-2012 by Monday, March 14, 2011; authorizes filing of budget legislation by Monday, March 21, 2011.

The Speaker announced that he had referred House Joint Resolution No. 47 to the Committee on Calendar.

Senate Joint Resolution No. 44 -- Constitutional Amendments -- As introduced, proposes an amendment to Article VII of the Tennessee Constitution in order to move the election of county officers and judges from August to November.

The Speaker announced that he had referred Senate Joint Resolution No. 44 to the Committee on Judiciary.

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Senate Joint Resolution No. 45 -- Constitutional Amendments -- Allows compensation of judges to be decreased or diminished during term of office as provided by law for judicial misconduct while in office.

The Speaker announced that he had referred Senate Joint Resolution No. 45 to the Committee on Judiciary.

Senate Joint Resolution No. 46 -- Memorials, Recognition -- 100% Graduation Initiative

The Speaker announced that he had referred Senate Joint Resolution No. 46 to the Committee on Education.

Senate Joint Resolution No. 48 -- Memorials, Recognition -- Mary Costa

The Speaker announced that he had referred Senate Joint Resolution No. 48 to the Committee on Calendar.

Senate Joint Resolution No. 49 -- Memorials, Recognition -- David Keith

The Speaker announced that he had referred Senate Joint Resolution No. 49 to the Committee on Calendar.

Senate Joint Resolution No. 50 -- Memorials, Public Service -- Rep. Charles Curtiss, Fiscal Review Committee

The Speaker announced that he had referred Senate Joint Resolution No. 50 to the Committee on Calendar.

Senate Resolution No. 1 -- Memorials, Death -- John Hayden "Aden" Hendley

The Speaker announced that he had referred Senate Resolution No. 1 to the Committee on Calendar.

MOTION

Senator Norris moved that Rule 31 be suspended for the First Regular Session of the 107th General Assembly for the purpose of requiring all bills with any fiscal impact other than "minimal" or "not significant" to be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee, which motion prevailed.

MOTION

Senator Norris moved that Rules 25(B) and 27 be suspended for the purpose of setting the bill filing cut off date for the First Annual Session of the 107th General Assembly on February 17, 2011, which motion prevailed.

CONSENT CALENDAR NO. 1

House Joint Resolution No. 6 -- Memorials, Retirement -- Police Chief Jackie Moore, City of Franklin.

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House Joint Resolution No. 7 -- Memorials, Sports -- Station Hill Pee Wee Coyotes, 2010 Rocky Top Youth Football Classic 6U Champions.

Senate Joint Resolution No. 22 -- Memorials, Sports -- Greeneville High School football team, TSSAA Class 4A State Champions.

Senate Joint Resolution No. 24 -- Memorials, Sports -- Team Cherokee of the Scholastic Clay Target Program of Kingsport.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bill was placed at the heel of the calendar for Monday, February 14, 2011, pursuant to Rule 38: **Senate Bill No. 27.**

Senate Bill No. 34 -- Flags -- As introduced, requires state flags to be flown at half-staff by political subdivisions during day of mourning declared by the governor for Tennessee National Guard members killed in action. Amends TCA Title 4, Chapter 1, Part 4.

Senator Faulk moved that all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 16 -- Election Laws -- As introduced, requires a voter to present qualified photographic identification before voting; voters without proper identification shall be allowed to cast provisional ballots. Amends TCA Title 2, Chapter 7, Part 1.

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Senator Stewart moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language at the end of the amendatory language of Section 1:

Any voter age sixty-five (65) or older shall not be required to show an identification with a photograph of the voter.

Senator Faulk moved that Amendment No. 1 go to the table, which motion prevailed by the following vote:

Ayes	18
Noes	13

Senators voting aye were: Bell, Campfield, Crowe, Faulk, Gresham, Haile, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--18.

Senators voting no were: Barnes, Berke, Burks, Finney, Ford, Harper, Haynes, Henry, Herron, Kyle, Marrero, Stewart and Tate--13.

Senator Ketron moved that **Senate Bill No. 16** be placed on the Calendar for Monday, February 14, 2011, which motion prevailed.

MOTION

On motion of Senators Herron and Johnson, their names were added as sponsors of **House Joint Resolution No. 6**.

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolution No. 7**.

On motion of Senators Barnes, Bell, Berke, Campfield, Crowe, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 34**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 16**.

On motion of Senator Ford; Mr. Speaker Ramsey; and Senators Norris and Gresham, their names were added as sponsors of **Senate Bill No. 485**.

On motion of Senator Henry, his name was added as sponsor of **Senate Bills Nos. 60 and 315**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bill No. 338**.

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ENGROSSED BILLS

February 10, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 34; and Senate Joint Resolutions Nos. 22 and 24; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 42, 43, 44, 45, 46, 48, 49, 51, 52 and 54; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 25, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 51, concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

February 10, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 25, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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ENROLLED BILLS

February 10, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 11, 14, 19 and 47; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

February 11, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 51, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 6 and 7, for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

February 10, 2011

The Speaker announced that he had signed the following: Senate Bill No. 25.

SIGNED

February 10, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 11, 14, 19 and 47.

SIGNED

February 10, 2011

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 6 and 7.

SIGNED

February 11, 2011

The Speaker announced that he had signed the following: Senate Joint Resolution No. 51.

FEBRUARY 10, 2011 -- 4TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 25, signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 10, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 11, 14, 19 and 47; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 51, signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

February 10, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 25, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

February 10, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 11, 14, 19 and 47; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

February 11, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 25, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

FEBRUARY 10, 2011 -- 4TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 14, 2011: Senate Joint Resolutions Nos. 26, 27, 28, 29, 31, 33, 34, 35, 36, 39, 40, 41, 42 and 43; and House Joint Resolutions Nos. 21, 22, 24, 25, 26, 27, 28, 29, 30, 34, 35, 36 and 38.

This the 10th day of February, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 14, 2011: Senate Joint Resolution No. 13.

This the 10th day of February, 2011.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 14, 2011: Senate Bills Nos. 18, 16 and 27.

This the 10th day of February, 2011.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 5:00 p.m., Monday, February 14, 2011, which motion prevailed.